

**SUPREME COURT MINUTES  
TUESDAY, OCTOBER 26, 2010  
SAN FRANCISCO, CALIFORNIA**

**S185148****BENNETT ON DISCIPLINE**

Order filed

Due to an error on the part of the State Bar Court, this Court's order filed October 13, 2010, in the above-entitled matter is hereby amended to read in its entirety:

"The court orders that JERALD SCOTT BENNETT, State Bar Number 123450, is suspended from the practice of law in California for four years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. JERALD SCOTT BENNETT is suspended from the practice of law for two years (with credit given for the period of inactive enrollment which commenced on May 8, 2008, and ended on May 26, 2010).
2. JERALD SCOTT BENNETT must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on June 24, 2010.
3. At the expiration of the period of probation, if JERALD SCOTT BENNETT has complied with all conditions of probation, the four-year period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment."

**S185553****CHIU ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that RICHARD MIRASOL CHIU, State Bar Number 145258, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

RICHARD MIRASOL CHIU must make restitution as recommended by the Hearing Department of the State Bar Court in its Decision filed on June 22, 2010. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

RICHARD MIRASOL CHIU must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S185555****PETTIS ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOHN ALROY PETTIS, State Bar Number 51334, is suspended from the practice of law in California for four years, execution of that period of suspension is stayed, and he is placed on probation for five years subject to the following conditions:

1. JOHN ALROY PETTIS is suspended from the practice of law for a minimum of the first two years of probation, and he will remain suspended until the following requirements are satisfied:
  - i. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).).
2. JOHN ALROY PETTIS must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 17, 2010.
3. At the expiration of the period of probation, if JOHN ALROY PETTIS has complied with all conditions of probation, the four-year period of stayed suspension will be satisfied and that suspension will be terminated.

JOHN ALROY PETTIS must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

JOHN ALROY PETTIS must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. JOHN ALROY PETTIS must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment is enforceable as provided under Business and Professions Code section 6140.5.

**S185559****CULPEPPER ON DISCIPLINE**

Recommended discipline imposed

The court orders that THADDEUS JULIAN CULPEPPER, State Bar Number 220194, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. THADDEUS JULIAN CULPEPPER must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 8, 2010; and
2. At the expiration of the period of probation, if THADDEUS JULIAN CULPEPPER has

complied with the terms of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

THADDEUS JULIAN CULPEPPER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If THADDEUS JULIAN CULPEPPER fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S185560****BALL ON DISCIPLINE**

Recommended discipline imposed

The court orders that ROBERT MICHAEL BALL, State Bar Number 138482, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. ROBERT MICHAEL BALL is suspended from the practice of law for the first seven months of probation;
2. ROBERT MICHAEL BALL must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 6, 2010; and
3. At the expiration of the period of probation, if ROBERT MICHAEL BALL has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

ROBERT MICHAEL BALL must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

ROBERT MICHAEL BALL must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If ROBERT MICHAEL BALL fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S185561****JANSEZIAN ON DISCIPLINE**

Recommended discipline imposed

The court orders that NAZARETH VAHAN JANSEZIAN, State Bar Number 193159, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. NAZARETH VAHAN JANSEZIAN is suspended from the practice of law for the first 30 days of probation;
2. NAZARETH VAHAN JANSEZIAN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 30, 2010; and
3. At the expiration of the period of probation, if NAZARETH VAHAN JANSEZIAN has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

NAZARETH VAHAN JANSEZIAN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2011 and 2012. If NAZARETH VAHAN JANSEZIAN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S185562****McPAYAH-OBIAMALU ON DISCIPLINE**

Recommended discipline imposed

The court orders that VIVIAN McPAYAH-OBIAMALU, State Bar Number 159598, is suspended from the practice of law in California for six months, execution of that period of suspension is stayed, and she is placed on probation for one year subject to the following conditions:

1. VIVIAN McPAYAH-OBIAMALU must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 30, 2010; and
2. At the expiration of the period of probation, if VIVIAN McPAYAH-OBIAMALU has complied with the terms of probation, the six-month period of stayed suspension will be satisfied and that suspension will be terminated.

VIVIAN McPAYAH-OBIAMALU must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)  
Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S185563****SMITH ON DISCIPLINE**

Recommended discipline imposed

The court orders that LORI SMITH, State Bar Number 196156, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. LORI SMITH must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on June 11, 2010; and
2. At the expiration of the period of probation, if LORI SMITH has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

LORI SMITH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. LORI SMITH must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment is enforceable as provided under Business and Professions Code section 6140.5.

**S185564****McGINNIS ON DISCIPLINE**

Recommended discipline imposed

The court orders that MICHAEL JOSEPH McGINNIS, State Bar Number 55908, is suspended from the practice of law in California for eighteen months, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. MICHAEL JOSEPH McGINNIS is suspended from the practice of law for the first 90 days of probation;
2. MICHAEL JOSEPH McGINNIS must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on June 10, 2010; and
3. At the expiration of the period of probation, if MICHAEL JOSEPH McGINNIS has complied with all conditions of probation, the eighteen-month period of stayed suspension will be satisfied and that suspension will be terminated.

MICHAEL JOSEPH McGINNIS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the

same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

MICHAEL JOSEPH McGINNIS must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. MICHAEL JOSEPH McGINNIS must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment is enforceable as provided under Business and Professions Code section 6140.5.

**S185565****REYNOLDS ON DISCIPLINE**

Recommended discipline imposed

The court orders that STEPHEN MICHAEL REYNOLDS, State Bar Number 148902, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. STEPHEN MICHAEL REYNOLDS is suspended from the practice of law for the first 30 days of probation;
2. STEPHEN MICHAEL REYNOLDS must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 28, 2010; and
3. At the expiration of the period of probation, if STEPHEN MICHAEL REYNOLDS has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

STEPHEN MICHAEL REYNOLDS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S185567****RHINE ON DISCIPLINE**

Recommended discipline imposed

The court orders that JAMES MICHAEL RHINE, State Bar Number 77882, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, subject to the following conditions:

1. JAMES MICHAEL RHINE is suspended from the practice of law for a minimum of 90 days,

and he will remain suspended until the following requirements are satisfied:

- i. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar; and
- ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)

2. JAMES MICHAEL RHINE must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension.

JAMES MICHAEL RHINE must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

JAMES MICHAEL RHINE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. JAMES MICHAEL RHINE must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment is enforceable as provided under Business and Professions Code section 6140.5.

**S187559**

**HARRIS (WAYDE HOLLIS) v.  
S.C. (PEOPLE)**

Transferred to Court of Appeal, Third Appellate District

The above-entitled matter is transferred to the Court of Appeal, Third Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.